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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/333,421	06/15/1999	MARK BAKER	5181-31400	4120

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EXAMINER

HOANG, PHUONG N

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/333,421	Applicant(s) BAKER, MARK	
	Examiner Phuong N. Hoang	Art Unit 2126	
	-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --		

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 15 June 1999.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1 - 10 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1 - 10 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6</u> .	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____
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DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference sign(s) mentioned in the description in fig. 1 and 4. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 162 of fig. 8 and 9, 316 of fig. 16, any number in fig. 1 and 4. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1 – 5, 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Jini “Jin Architecture Specification” pages 1 – 22.

As to claim 1, Jini teaches a system for creating persistent references to data sources comprising:

a small footprint device (Jini technology-enabled device, page 3 second paragraph), wherein the small footprint device includes a processing unit (processing power, page 3) and system memory (memory, page 3);

a software framework (lookup service, page 6) stored in the system memory, wherein the software framework supports program modules (discovery and join, page 6 last paragraph, 12 section 2.3.1 and 13), wherein the program modules implement computing services;

a first computing service implemented by one or more of the program modules, wherein the first computing service is operable to create a persistent reference to a data source in response to a user selecting the data source (a lookup service occurs when a client or user needs to locate and invoke a service, page 13).

a second computing service implemented by one or more of the program modules, wherein the second computing service is operable to access the data source using the persistent reference (services must be able to find, page 14).

As to claim 2, Jini teaches the system of claim 1, further comprising an activation framework operable to create an entity encapsulating (encapsulate other naming or directory services, page 6 section 2.1.2) the data source; wherein the persistent reference created by first computing service references the entity encapsulating the data source.

As to claim 3, Jini teaches the system of claim 2, wherein the activation framework is further operable to invoke the second computing service to perform an

operation on the data source (Jini system consists of services may make use of other services, page 6 first paragraph)

As to claim 4, Jini teaches framework is the JavaBean Activation Framework (Javabean, page 9 fig. 1 and page 10).

As to claim 5, Jini teaches the system of claim 1, wherein the software framework requires less than 3 kilobytes of memory (some memory, page 3 second paragraph).

As to claim 8, Jini teaches the system of claim 1, wherein the small footprint device comprises less than 2 megabytes of memory (some memory, page 3 second paragraph).

Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Waldo, US patent no. 6,185,611.

As to claim 1, Waldo teaches a system for creating persistent references to data sources comprising:

a small footprint device (devices, col. 4 lines 40 – 64), wherein the small footprint device includes a processing unit (CPU 206, col. 5 lines 10 – 20) and system memory (memory 202, col. 5 lines 10 – 20);

a software framework (lookup service 212, col. 4 lines 40 – 64 and col. 5 lines 48 - 59) stored in the system memory, wherein the software framework supports program modules (objects, col. 5 lines 48 - 59), wherein the program modules implement computing services;

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a first computing service implemented by one or more of the program modules, wherein the first computing service is operable to create a persistent reference to a data source in response to a user selecting the data source (the discovery server 214 send a reference to the lookup service to the client (step 306, col. 10 lines 60 – 67);

a second computing service implemented by one or more of the program modules, wherein the second computing service is operable to access the data source using the persistent reference (the client is able to access the service, col. 10 lines 60 – 67).

Claims 6, 7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable by Jini “Jin Architecture Specification” pages 1 – 22 in view of Schloss, US patent no. 6,249,844.

As to claim 6, 7, Jini does not teach the system of claim 1, wherein the small footprint device is a small footprint device from the group consisting of: personal data assistant (PDA), cellular phone, global positioning system (GPS) receiver, and set-top box.

Schloss teaches wherein the small footprint device is a small footprint device consisting of cellular phone (smart phone, col. 1 lines 18 – 25), and set-top box, (set-top box, col. 1 lines 18 – 25).

It would have been obvious to apply the teaching of Schloss to Jini’s system because they provide different choices of footprint devices.

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As to claim 9, Jini does not explicitly teach the system of claim 1, wherein the small footprint device comprises a display screen smaller than twenty square inches.

Schloss teaches small footprint device comprises a display screen smaller than twenty square inches (inherent with a smart phone, col. 1 lines 18 – 25).

It would have been obvious to apply the teaching of Schloss to Jini's system because it is easily for carrying.

As to claim 10, Jini does not teach the system of claim 1, wherein the small footprint device is exclusively battery operated.

Schloss teaches the small footprint device is exclusively battery operated (battery, col. 10 lines 15 – 25).

It would have been obvious to apply the teaching of Schloss to Jini's system because it is easily carrying and use.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703)746-7239.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7140.

Ph

November 5, 2003



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100